

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
)
 v.) CRIMINAL NO. *04-10384-PBS*
) VIOLATIONS
) 18 U.S.C. §2252(a)(2)
) Receipt of Child Pornography
)
 DANIEL KAMEN)
)

INDICTMENT

COUNT ONE: 18 U.S.C. §2252(a)(2) - Receipt of Child Pornography

The Grand Jury charges that:

On or about December 6, 2004, at Chelmsford , in the District of Massachusetts, and elsewhere,

DANIEL KAMEN,

defendant herein, did knowingly receive visual depictions that had been mailed, shipped and transported in interstate and foreign commerce, by any means including by computer, the production of such visual depictions having involved the use of minors engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and such depictions being of such conduct, that is, three videotapes labeled "Kissing Cousins," "Boys will be Boys," and "Boys and Girls."

All in violation of Title 18, United States Code, Section 2252(a)(2).

NOTICE OF ADDITIONAL FACTORS

COUNT ONE:

The Grand Jury further finds with respect to Count One that:

1. The defendant's conduct was limited to the receipt or solicitation of material involving the sexual exploitation of a minor; and the defendant did not intend to traffic in, or distribute, such material, as described in U.S.S.G. § 2G2.2(b)(1) (November 1, 2004 Manual).
2. The material involved a prepubescent minor and a minor who had not attained the age of 12 years, as described in U.S.S.G. § 2G2.2(b)(2) (November 1, 2004 Manual).

FORFEITURE ALLEGATION
(18 U.S.C. § 2253(a)(3) -- Criminal Forfeiture)

18 U.S.C. § 2253(a) – Criminal Forfeiture

1. The allegations of Count One of this Indictment are hereby repeated and incorporated herein by reference for the purpose of alleging forfeiture to the United States under Title 18, United States Code, Section 2253(a).

2. Upon conviction on Count One hereof, the defendant Daniel Kamen shall forfeit to the United States any and all matter which contains visual depictions produced, transported, shipped, received or possessed in violation of Title 18, United States Code, Section 2252; any property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result fo the said violations; and any and all property used or intended to be used in any manner or part to commit and to promote the commission of the aforementioned violations.

All in violation of Title 18, United States Code, Section 2253(a)(3).

A TRUE BILL

Anne Burke
FOREPERSON OF THE GRAND JURY

Donal Sacc
ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS; December 22, 2004

Returned into the District Court by the Grand Jurors and filed.

Maureen Seman
DEPUTY CLERK
[Signature] 3:10
(MS)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Chelmsford Category No. II Investigating Agency USPISCity Chelmsford**Related Case Information:**County Middlesex

Superseding Ind./ Inf. _____ Case No. _____

Same Defendant _____ New Defendant _____

Magistrate Judge Case Number _____

Search Warrant Case Number 04-m00082-LPC

R 20/R 40 from District of _____

Defendant Information:Defendant Name Daniel Kamen Juvenile Yes No

Alias Name _____

Address 82 Brick Kiln Road, Building 10, Apartment 104, Chelmsford, MABirth date (Year only): 1980 SSN (last 4 #): 1494 Sex m Race: _____ Nationality: U.S.Defense Counsel if known: Peter Elikann Address: 93 Beacon Street
Boston, MA 02108

Bar Number: _____

U.S. Attorney Information:AUSA Dena T. Sacco Bar Number if applicable _____Interpreter: Yes No List language and/or dialect: _____Matter to be SEALED: Yes No Warrant Requested Regular Process In Custody**Location Status:**

Arrest Date: _____

 Already in Federal Custody as _____ in _____. Already in State Custody _____ Serving Sentence Awaiting Trial On Pretrial Release: Ordered by _____ on _____Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony one _____

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 I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: December 22, 2004

Signature of AUSA: Dena T. Sacco

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District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Daniel Kamen

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 2252(a)(2)</u>	<u>receipt of child pornography</u>	_____
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: